## EDITH BEHR'S SENTENCE.

ELIZABETH PEOPLE DIVIDED IN OPINION AS TO ITS SEFERITY.

Judge McCormick Says He Was Influenced by the Conviction That the Girl Was Perjuring Morself on Mer Trial for Assaulting William and Henry Bloy. The Hon. Thomas H. McCormick of Elizabeth

has been the County Judge of Union county for nearly twenty years. Notwithstanding his long and honorable record, there were persons in Elizabeth yesterday who said he had outlived his usefulness as a Judge. There were others, owever, who were equally positive in the assertion that, were all the County Judges of New Jersey like-minded with Judge McCormick, there would be fewer malefactors in the State and fewer inmates of the jalls and penitentiaries than there are at present.

This diversity of opinion relative to the merits

and demerits of the County Judge of Union county, and all the discussion growing out of the diversity, were occasioned by the sentence which Judge McCormick on Saturday passed upon Edith Behr, said to be nineteen years old. and charged with assault and battery. It is probably true that no case involving a similar charge ever attracted so much attention in Union county as the Behr case. The charge of assault and battery is by no means an uncommon one to be preferred against a woman, and hundreds of women in the very county of Union have been tried and convicted and have served the sentences imposed, and the cases have not been considered of sufficient importance to occasion even the briefest notice in the daily prints, to say nothing of setting the majority of the men, women, and children of the entire county talking about it. In Elizabeth. particularly, the people have taken sides, and the discussion has engendered quite as bitter feelings among the sympathizers of Miss Behr and the supporters of Judge McCormick as were engendered by the discussion of politics

So bitter, in fact, has this discussion become that those who are taking an active part in it have completely lost sight of the facts in the case and are talking simply because their sympathies are with or against the girl, who is now a prisoner in the Union county jail at Elizaboth. It has already been told in THE SUN how Edith Behr was sentenced on Saturday by Judge McCormick to three months' imprison ment in the county jail, having been convicted by a jury of assault and battery upon William and Henry Bloy.

They are truck farmers, living in the hamlet of Lyons Farms, about two miles north of Elizabeth. A few rods north of their place, on the opposite side of the road, lives Isarc Behr. Behr. is also a farmer, and his family consists of a wife, a daughter, Edith, and a son about 13 years of age. There has been had blood between the Bloys and the Behrs for some time. It is said that each family has tried to annoy the other as much as it conveniently could for the ast two years. Among other grievances the Bloys assert that Behr allowed his cattle to stray over the Bloy farm, destroying whatever crops were above the ground. Behr asserts that the Bloys, not only William and Henry, but Henry's wife, have done all they could to ruin his reputation and to make him unpopular in the community. The grievances of the two families came to a climax last June.

Early one evening in that month Behr's sor was sent down to drive Behr's cows home from the pasture. This pasture is a short distance below the Bloy farm. When the cattle got opposite the entrance to the Bloy place they got no further for some time. The reason for the delay is furnished by the Bloys and Behr, and one story is diametrically opposed to the other.

The Bloys say that when the cattle got oppo site the entrance to their farm a number of them strayed into the farmyard. Both th Bloys and the hired man were working in a field near the house. When Mrs. Henry Bloy saw th cattle stray into the yard she went to the back that lichr's cattle were in the yard again. The brothers and the hired man came up from the field, saw the cattle and prepared to pen in, for the purpose of keeping them until they could notify the poundmaster. When young Behr saw that some of his father's cattle were being detained by the Bioya he ran up the read and told his father what had happened. The elder Behr and his daughter Edith answered the call and hurried down to liberate the cattle. When the Bioys saw the Behrs enter the farmyard one of the Bloys ordered Behr and his daughter off the premises. They refused to you and the of the Bloys ordered Behr and his daughter off the premises. They refused to go, and the brothers attempted to eject them, using what force was necessary. The brothers directed their efforts against the elder Behr. When the daughter saw her father set upon by the two men she went to his rescue. She salled in with feet and hands. She did valiant execution with her fingernails upon the face of one of the Bloys, and atthough barefooted, she succeeded in doing almost as much damage with her feet. In the scrimmage she fell to the ground. Then Behr was put off the premises, and finally the

ber fingernails upon the face of one of the Bloys, and, atthough barefooted, she succeeded in doing almost as much damage with her feet. In the serminmage she fell to the ground. Then Behr was put off the premises, and finally the girl was induced to go.

Behr's story and that of his daughter, as brought out on the trial, is the same as that of the Bloys, with these exceptions: They say that when the cattle got opposite the Bloy place one of the Bloys, instead of being in the field at work, was standing in front of his house. As soon as he saw the cattle he went out into the road and drove as many as he could into the yard. Then he penned them in. Notified of what had happened by his son, Behr and his daughter came down to liberate the cattle. Edith Behr testified that one of the Bloys grabbed her father about the neck, choked him, and then knocked his head against the side of the barn. Behr is nearly do years old. The elder Bloy is not much above thirty. Both Bloys are larger and stronger physically than Hehr. Fearing that her father might be killed, the girl said, she went to his aid. When she did so, she says, one of the Bloys caught her oy the arms and threw her violently to the ground. Then one of the Bloys pushed her father off the premises, while the other one threw her off.

These are the two stories of the assault told by the two parties in interest. The Bloys awore out a warrant for the arrest of Behr and his daughter on the charge of assault and battery, and Behr made a countercharge against the Bloys. Both cases were presented to the October Grand Jury of Union county. Behr and his daughter were indicted. The Bloys were not. Behr was injured in a trolley accident on Thursday, and was unable to be present at the trial. Boys, and was unable to be present at the trial which took place on Saturday. A sthe charge was the same against father and daughter, it was decided that the trial could go on without the presence of the older defendant. The trial lasted a good part of the day. In corroboration of the

McCormick then sentenced Edith Behr to three months' imprisonment in the county sai, and stated that he would sentence her father wien he was able to appear in court.

It seems to have been the general opinion that me severe sentence than the imposition of a fine was expected. When, therefore, the young deter, a great to-do was made about it. It was addithat friends of the Bioys had taiked with Judge McCormick while the jury was out, and had told him that the Behr's were a disturbing element in Lyous Farms society, and had told him that the Behr's were a long a term of imprison. Judge McCormick denied yesterday that he had concluded that the was convinced from Ethel Wars perjoring horself; that she had not we was that the had known of allies and the was perjoring horself; that she had not work to the Boys of the Work of obtaining a jury to try Maria Barberi, for the second time, for thilling her fathers were sent away for as long a term of imprison. Judge McCormick denied yesterday that he had known of allies and that he was convinced from Ethel Wars perjoring horself; that she had not how the stand that she was a perjoring horself; that she had not work of the Behr's manner on the witness stand that the time nad come to make an example of perjorers, or these whom he believed to be perjurers, or that it would be remembered that such practices would not be tolerated in his court in the future. For that reason, largely, he imposed the heavy sentence which her.

Associated with the University of Chicago, having been secured, the prometers will be prometers will be presented in a trolley accident last surpers. In reply Judge McCormick told the lawyer that the clean day to the second the lawyer that the constitution of the prometers will be presented in a trolley accident last surpers. In reply Judge McCormick told the lawyer that the clean and the prometers will be presented in a trolley accident last surpers. In reply Judge McCormick told the lawyer that the clean and the prometers will be presented in a trolley a

court's work was done so far as that case was concerned, and that he could not reconsider the decision. Mr. Kalisch then stated that he would go before Gov. Griggs and the Court of Pardons with the request that the girl be pardoned. If he was not successful there he said he would go to the Supreme Court of the State, sus out a writ of error, and have the case reopened. Judge McCormick said that the lawyer was quite at liberty to look after the interest of his clientas he saw fit, and that ended the case. Some of the lawyers of Elizabeth criticise Judge McCormick because, from his own statement, he imposed the severe sentence which he did, not so much because of the evidence submitted as because he believed that the girl was swearing faisely. They say that on that score no person charged with a crime can consider his or her interest safe in Judge McCormick's court where sentences are imposed, not from the evidence adduced, but according to the opinions which the Judge may have of the case and the parties interested in it. Pending the action of her counsel the girl is taking her prison life with as good grace as possible. She asserts that she is slowly starring to death, because, being a Jawess, she cannot cat the food furnished by the prison authorities. The fare cannot be changed, however, and the Warden says the girl will have to get used to it.

SEATTLE CUT OFF BY WATER.

Floods Stopethe Trains and Dratroy Much Property Along the Coast. SEATTLE, Wash., Nov. 16 .- Seattle is completely cut off from communication by rail with the outside world. On the two trans-continental lines running into this city not a train, freight or passenger, has departed within twenty-four hours. This is due to floods and storms. It has rained almost incessantly for Rivers and small streams are swollen beyond their banks, and in many cases the water is still rising. Reports from the southern part of the State are that the Cowlitz River has risen above it highest water mark, and that Castle Rock, a town of 500 inhabitants in Cowlitz county, is covered by water from one to three feet deep. A strong current has set in to three feet deep. As trong cutters as see in there, and many houses are being washed from their foundations. Chehalis reports the worst storm of the season. Electric light wires are down, trees uprooted, and fences and small buildings blown down.

buildings blown down.

The storm here yesterday was the worst since last winter. Early in the afternoon a heavy snow storm set in and by 10 o'clock four inches fell, two remaining on the ground.

The Puyallup River, which is the outlet of all the creeks and small streams of this region, has risen two feet, and yesterday where it was a calm sluggish stream, it is now a raging torrent. A rise of two or three feet more and the water will be over the farms and cause great damage.

damage.

There were no trains between Tacoma and Seattle yesterday and all overland trains from Spokane to Portland are running slowly, with no discontinuances as yet. In Masyn county several hundred feet of filling on the Dew. Shelton and Southwestern Railroad were washed

several manded feet of mining on the Powshed away.

All the Great Northern system from the Cascades west, including the Coast Line, is paralyzed. On the Coast Line about three-quarters of a mile of tracks has been washed out, and other serious damage has resulted in the Cascades, where the main line crosses the Skykomish River four times in two miles.

Two ratiroad bridges are washed out near here and much track is inundated where the roadbest follows the river. The ratiroad bridge over White River has been condemned as unsafe owing to high waters, which are expected to sweep away the structure at any moment, and this has shut off communication with the Northern Pacific main line, the Portland branch of the Northern Pacific, and likewise stopped traffic on the Columbia and Puget Sound Railroad.

Owing to a great landslide the Seattle and International, connecting with the Cathadian Pacific, has been interrupted for fifteen hours. The Northern Pacific is sending passengers by boat to Tacoma, where connection may be made with Portland.

For several days all wires on the Great Northern have been down, but last evening one wire For several days all wires on the Great North-

For several days all wires on the Great North-ern have been down, but last evening one wire was got into operation again. No estimate of damage to ratiroad property can be obtained now, but on the Great Northern alone it will amount to many thousands of dollars. The rainfail for Seattle and vicinity for November to date has been 7.08 inches. The greatest fall known here before for an entire month was only 8.16 inches. The bridge over the Yakima River at Cleelum was washed out last night, destroying railroad acilities between here and Ellensburg.

BROOKLYN CIVIL SERVICE SUIT.

Former Commissioner White Praises Competitive Examinations.

The suit brought in the Supreme Court, Brooklyn, by the members of the Civil Service Reform Association against Mayor Wurster and of the Civil Service law was continued yesterday. Former City Works Commissioner Alfred T. White was examined.

"What was the quality of efficiency of those selected by competitive examination?" asked Edward M. Shepard.

"I found the quality of service of such employees satisfactory almost without exception." ployees satisfactory almost without exception, replied Mr. White. They were more efficient than those examined in non-competitive examinations. In the average ranks of employed those appointed under the competitive plan were the better men."

Mr. White said he had not placed any men on the non-competitive list. He had transferred twenty from that list to schedule B, bringing them under the rules.

twenty from that list to schedule B, bringing them under the rules. In summing up for the defence Corporation Counsel Burr contended that the Consiltution of 1895 had no effect upon existing laws, except that part embodied in the organic law; that the power and discretion vested by the existing law in the Governor and Mayor to make classifications under civil service regulations was still in force, and that it was a question which could not be reviewed by the courts unless it was shown that great abuses had taken place. He also contended that there was nothing to show that the statutes had not been lived up to by the Mayor and wisely executed. He said that out of 5,000 places on the civil service list, less than three per cent, were in the non-compoti-

the Mayor and wisely executed. He said that out of 5,000 places on the civil service list, less than three per cent, were in the non-compotitive class. He also held that the classification made by the Mayor was final.

Edward M. Shepard argues that it was a waste of public money to pay persons who illegally held office. The courts, he said, were the only refuse for those who wanted the laws enforced and that was the reason the action had been brought. He said he would have been delighted to see Mayor Wurster, City Works Commissioner Willis, and Comptroller Palmer on the stand, so that he would have an opportunity to cross-examine them as to civil service appointments. Mr. Shepard will continue his argument this morning.

FOREST FIRE BILLS PILING UP.

ALBANY, N. Y., Nov. 16,-The forest fires in so far as reported in 1896 burned over and practically destroyed 49,000 acres. The amount paid out by the State during 1894 and 1895 to

Fire Wardens and others who assisted in ex-

tinguishing the fires approximated \$50,000.

The bills for services rendered in extinguishing fires, both this year and in 1895, have been ing fires, both this year and in 1895, have been coming to the Fisheries. Game and Forest Commission with sufficient rapidity to exhaust all the money appropriated to pay them. In 1894, by an act of the Legislature, the policy of having the State pay all the forest fire bills was adopted where State lands were burned. In 1895 the Legislature failed to make any appropriation to carry out the previous act, and all the bills against the State caused by fires in the woods come over into the present year. the woods come over into the present year.

Last winter the Legislature appropriated \$2,500 to pay these claims. The total amount needed will be \$6,000 or over. The State, by a law enacted last winter, will hereafter pay those forest fire bills only after they have been audited by Town Boards, and the towns will also share the expense of putting out the fires.

Chamber of Commerce Dinner To-Night. The Chamber of Commerce will hold its 128th annual dinner at Delmonico's to-night. It is expected that 376 persons will be present.

FRENCH COUNT'S ARREST

HELD FOR TRIAL FOR DRAWING A PISTOL ON A CABMAN.

The Cabby Promised to Take Him to See Some Nice Ladies-He Couldn't Get Into Any Nice Ladies' Houses, so the Count Ecfased to Pay for the Hide He Took, The Comte de Toulouse-Lautree, who was locked up in the Tenderloin station on Sunday night for having drawn a revolver in a dispute over cab fare with John McGowan, a cabman, was held yesterday for trial in Jefferson Market Court in default of \$500 bail. The charge

against him was felonious assault, and he apparently acknowledged his guilt when he admitted having drawn his revolver, although he had no intention of pleading guilty. He asserts that he did not draw the revolver upon Me-Gowan at all, but upon two other men. He has difficulty with the English language and spoke in court through an interpreter, who said: The cabman threatened me, and while we

were talking two other men approached, whom I thought to be the cabman's friends, and that they intended to assault me. I said a 'I am not afraid of you, I can defend myself, 'at the same time showing them my revolver."

Magistrate Mott, who had previously administered one of his testy rebukes to the Count for speaking to a friend while he was waiting in line, said, after the interpreter's statement, that the Count had convicted himself on his own ad-

mission, and ordered that the interpreter be summoned to the Sessions to prove the admis-To laymen it seemed as though the admission was a declaration that he had drawn a revolver in self-defence rather than an incriminating ad-

itssion of technical felonious assault. As was told yesterday, the Count when arrested was garbed as befitted his rank, had a liberal supply of money, and wore jewelry bear-ing his crest. The fact that a well-dressed, wellappearing foreigner, with money enough for all visible wants and not ascused of previous ill conduct, should be hustled off to the station house by the policeman to whom he appealed and to whom he was explaining his difficulty with the men on whom he had been impelled to draw his revolver, caused a good deal of interest

to be taken in his case vesterday. According to the story told in the station ouse on Sunday night, the Count, after the two men ran away at sight of his pistol, went to Policeman Flynn, who was at Broadway and Thirty-ninth street, and when the caliman and his friends saw this they followed and demanded the Count's arrest, saying that he had threat ened them with the revolver. The Count's story in Jefferson Market was practically the same, McGowan, however, there said that after he had driven the Count to several places they stopped at Broadway and Thirty-ninth street, and the Count, going into a near-by house, returned soon and walked past the cabman as though he did not see him. McGowan theh touched the Count on the shoulder, reminding

touched the Count on the shoulder, reminding him that the agreed upon \$1 fare had not been paid. At this the Count pulled the revolver and said that that was his pay.

The Count, who says that he is a railroad contractor and that he has done railroad billiding in Russia and expects to do more of it, toid a SUN reporter yesterday afternoon in the Jefferson Market jail how his trouble had come about. "I have been in the ety since summer," he said. "but except for some months in the spring I have been in the country for about a year and a half. I came here by way of the Facilie from Russia. I came across the country, stopping at Chicago, where I had an experience to be remembered, and which was in part a cause of the trouble in which I found myself when I got to the police station here last night. In the spring I went to Europe in connection with my business, going as far as St. Petersburg, and then I came back to America and went to Philadelphia.

"In Chicago Lind been repeated.

then I came back to America and went to Philadeiphia.

"In Chicago I had been robbed of \$900, and
in Philadelphia I got a permit to carry a revolver. I frequently carry some aums of money,
and I wished to have the revolver on that account.

"I have been living in West Fifty-fourth
street. Last night I waiked down Broadway,
and at some corner—I did not notice, or do not
remember, just which one—a coachman spoke to
me—as coachmen do—and said that he would
take me to call upon some nice ladies, who
would entertain me. He said they were very
nice ladies, i like nice ladies, but is sid to him:

"You say that they are nice ladies, but coachmen don't know nice ladies; I do not believe
you."

you.' Oh, yes,' he said, 'these are very nice "Oh, yes,' he said, 'these are very nice ladies'
"I asked then how much he would charge to take me to their house. He said it was but a little way, and that if the ladies were nice I could give him \$1; if not, I need not give him anything. I said: 'Very well; but remember, a dollar if you do as you say, but if the ladies are not nice, then I give you nothing; I pay nothing at all.' It was agreed, and I sat myself in his carriage.
"He took me to one house in Lexington avenue if have the number). I rang the bell and a colored servant answered it. 'I will come

avenue if have the number). I rang the bell and a colored servant answered it. I will come in. I said. I will call on the ladies. "We have no ladies here," she said. I was not surprised. The coachman came up. I said.: See! They do not know you. You know no ladies. He said to the servant: Den't you see he is a nice gentleman? Let him in. Then some one else came to the door and said: 'No, you are an officer; go away.' You see I am big, and they mistook me. The Count is six feet.

one else came to the door and saki: No, you are an officer; go away. You see I am big, and they mistook me. The Count is six feet or more tail, broad-shouldered, and of erect carriage.] The person within the house added too: 'We have no ladies here.'

"I said to the coachman that he had not taken me to any ladies and that he evidently knew none, but he begged that I go with him to one other house where the nice ladies would surely be at home. It was not far, he said. I consented, and he drove me to a house in Thirty-ninth street, not far from the Opera House. I have the number. Just as he was driving up to it he whistled, so the Count imitated the cabman, and as I alighted, two men who knew him came up. To them the coachman said: 'He wants to see the ladies. Take him in.'

"They bade me come and led the way to an entry that was very dark. I am not fool enough to go into a dark hall at night with two strange men, and I bade them go ahead. The bell was fulled, but there was no answer and the house seemed all dark. The coachman and his friends wasted me to try another place; I refused and, started to walk away. The two strange men, who were not in any uniform or livery, fell back, but the coachman demanded money. I who were not in any uniform or livery, fell back, but the coachman demanded money. I refused to pay, saying that he had not fulfilled his agreement. He became angry, and the two men came up again and told me to pay him. One of them grabbed my clothing and shirt over my breast. He tore out one of the buttonholes. I did not know who they were and thought they were trying to rob me. It certainly was an assault on me, and I drew my revolver, saying that they could not scare me, for I could defend myself with my pistol.

"They ran away, and I hastened over toward the Opera House to the noliceman. When they saw me do this the two men came over, and the cabinan said I had drawn the revolver on him. I told the officer how I had been assaulted, and that the coachman had instigated the assault. When we walked to the poince station I thought the coachman was under arrest. It would have been so in France or any other place in Europe. But there I found that it was I who was arrested.

"The Sergeant said: 'Have you a license to

been so in France or any other place in Europe. But there I found that it was I who was arrested.

"The Sergeant said: 'Have you a license to carry a revolver?' I say: 'Yes, I got it in Philadelphia, for I have been robbed before, as I thought I was going to be to-night.' He said that was not good in New York. I thought it was good anywhere in this country. I was locked up, and here I am, but I have sent for an attorney and to some friends. I have \$100 or so with me."

Among the friends to whom the Count sent was Paul Tanty of 252 West Thirty-ninth street. He was not in when the messenger arrived, but François Tanty, a relative, said that either Paul or he would go to the Count during the morning. The Count is said to have bren an officer of the French cavalry. He says that he is here to organize a syndicate to build part of a railroad in Russia, and he showed a prospectus of the Siberian-Oriental railroad, of which, according to the prospectus, the Czar is president. The prospectus is signed by the Count with his title. It says that he has a contract to construct twenty-four miles of the railroad.

It was while on a quest for side ladles, for whose society he confesses a proclivity, that the Count was robbed in Chicago. He was in court last summer on complaint of the proprietor of the Hotel Martin. He says that it was only a souable over money, the proprietor wishing him to pay more than he wanted to pay.

The Russians Who Were with Macco Re-

The three young Russians who arrived here were detained at Ellis Island, were released yesterday in care of Dr. Sergius Englaman of 216 East Fifty-eighth street. The doctor says that the young men are the sons of well-co-do residents of St. Petersburg. They spent three months with Maceo in Pinar dei Rio.

Hood's Are purely vegetable, contain no drastic drugs, and are easy to take, easy to operate. Rouse the liver, stimulate the stor

TOUNG WIFE MISSING.

Chief of Police Conlin has requested all the men in his department to keep their eyes open for Mary Cantwell Fay, a young married wo-man, who disappeared from Malone, N. Y., on Oct. 25 under circumstances that have led her friends to suspect that she may have been temporarily insane. Mrs. Fay was about 21 years old, and she had been married only a few months. Her husband is an artist, and a member of a respected family in Malone. He is only a year older than his wife. Mrs. Fay told her husband on Sunday. Oct. 25, that she was going out for a walk. That was the last



MISSING MR. FAY.

he saw of her. That evening he discovered that she had taken the train for New York. So far as he knew, she had made no preparations for the journey, and had no money. A young woman who accompanied her to the station, however, said that Mrs. Fay seemed to have all the money she needed after paying for her ticket. Mrs. Fay was traced to Utica, and from there by the train that left the next morning to New York. Since that time the most searching innuiries have been made without avail, and her friends have refuctantly made public the facts and called upon the police to ald them. They believe that Mrs. Fay came to this city alone. The police description of her states that she is five feet two or three inches in height, and that she weighs 115 pounds. She has dark brown bushy hair and blue eres. There is a small red birthmark over her left eye. She wore a black coat, lined with green silk and trimmed with dree mink tails on either shoulder, and a black felt hat trimmed with green velvet and a rhinestone buckle.

GRAND CENTRAL STATION AFIRE The Package Room with Its Contents Burned-Loss Not Large.

The package room in the Grand Central Station was burned out early yesterday morning and thirty packages of goods, owned by persons all over the country, were destroyed. The room was in the southeast corner of the station. It was an enclosure eight feet wide and twenty feet long, and was used by passengers who wanted to store parcels and packages tempor arily. The fire is supposed to have been caused by the spontaneous combustion of some chemicals in a package left by some passenger. Policemen Mechan and Kennedy of the Grand

Central sub-Station discovered smoke coming from the package room about 2:15 A. M. Therwas no way of getting in, as there are heavy iron gates guarding the doorways. The fireme were called, but as they could only get at the fire from the sidewalk, the flames gained on them until the corner was wholly ablaze. The room is directly under the elevated railroad station, and it was feared that that structure firemen chopped holes through it and drowned

tents were ruined.

General Manager Franklin said that the loss would be comparatively light. The damage to the building is \$500, and the loss of those who lost packages was about the same, for he has received claims for damages for more than half of them, and the amount is only about \$200. The company will reimburse the bassengers for their losses. Mr. Frankfin said he did not know who owned the backage containing the chemicals. He scouted the idea of incendiarism, as the place was too insignificant for that and is he blace was too in-ignificant for that, and is well guarded. If the fire had occurred later in he week the loss would have been much leavier, as several hundred packages are gen-rally stored there dealy. At 6:30 o'clock yesterday morning two barrels

At 6:30 o'clock yesterday morning two barreis of oil which were stored in the tunnel of the Grand Central road, Eighty-eighth street, were fired from a -park from one of the locomotives and there was a blaze in the tunnel while the oil lasted. It was to have been used to supply the lamps in the Eighty-eighth street station.

BALTIMORE AND OHIO.

Figures from the Report Submitted at the Annual Meeting Yesterday. .

BALTIMORE, Nov. 16 .- At the seventieth anmore and Ohio Railroad to-day the following directors were elected: William F. Frick, James L. McLane, George C. Jenkins, Alex William H. Riackford of Boston: Louis Fitz gerald, Eugene Delano, Edward R. Bacon, William A. Read. Howland Davis of New York. Mr. McLane represents the Johns Hopkins interests. He succeeds Aubrey Pearre, who remains as director in several of the subordinate

The annual report, the first under a receivership, covers the year ended June 30, 1896. Its only reference to the receivership is contained in a single sentence which says that " the company, being unable to meet its liabilities of March 1, 1896, passed into the hands of John K. Cowan and Oscar G. Murray, receivers, on that date. It has been deemed proper to con-tinue the regular annual statement and there-fore this report covers the operations of the en-tire fiscal year, both prior and subsequent to The Iscal year, some the receivership."

The total earnings for the year were \$23,944,-781, an increase over the preceding year of \$1,-781, an increase over the preceding year of \$1,-781, an increase over the preceding year.

the receivership."
The total earnings for the year were \$23,944,-781, an increase over the preceding year of \$1,-127,699. The operating expenses are divided as follows: General expenses, \$1,711,200; conducting transportation, \$0,039,966; maintenance of equipment, \$3,013,204; maintenance of way and structures \$27919,049; total, \$17,-583,370.
The report says: "But for the fact that there way a large increase in the maintenance of equipment expenses amounting to almost a million dollars, the net earnings would have compared very favorably with those of the best of the preceding years in the history of the company. As it was the net earnings amounted to a little less than the increase in the operating expenses. From these net earnings are deducted the interest on beinded indebtedness, rentals, taxes, and other charges to the amount of \$7,202,834. The real fixed charges of the property were earned."

ST. LOUIS AND SAN FRANCISCO. Dwight Braman Brings Suit in the United

States Coart In St. Louis. Dwight Braman has brought suit in the United States Circuit Court in St. Louis, asking that the sale of the St. Louis and San Francisco Railway under foreclosure be set aside and the conveyance to the successor company be can-celled. He asks that the issue of securities by the new company he enjoined and that re-ceivers be appointed for both companies. The allegations in the complaint are similar to those made in a like suit now pending in the Supreme Court in this State, in which Dwight Braman is also plaintiff.

E. H. Hinton Will Represent the Souther

CHICAGO, Nov. 16.-Chairman Day of the Southwestern Traffic Association has aunounced at St. Louis that the executive officers have elected E. H. Hinton of San Francisco, general agent of the Panama Railroad, to fill the va-cancy on the Board of Administration caused by the death of Major Waldo. Mr. Hinton's name was submitted by the Southern Pacific Traffle management after a conference with Mr. Hinton at San Francisco, and he has agreed to come to St. Louis as the Southern Pacific's representative of the Southwestern Board.

NEWBURGH, N. Y., Nov. 16.-Cranston's Hotel the widely known summer resort at Highland Falls, near West Point, was sold at auction here to-day in forciosure proceedings instituted by Auderson Price against the Cranston's Hotel Company and other defendants. Mr. Price's Company and other defendants. Mr. Price's claim is a second mortgage. The first mortgage is held by the Columbia County Savings Institution of Hudson, N. Y., and is for \$53,000 principal and \$5,000 interest. Taxes and accrued interest with the other claim amount to \$4,200. Counsel for the Homer Ramsdell Transportation Company stated that that company has a lease of the dock and storehouse, expiring in 1898. The sale was made subject to this lease. Mr. Price, the plaintiff, started the bidding at \$4,200. Mr. Barlow, attorney for Mr. Cranston, raised this bid by \$10, and the property was sold for \$4,219, subject to the other claim.

## The greatest of all the baking powders for strength & healthfulness.

ROYAL BAKING POWDER CO., NEW-YORK.

LADIES AT THE FENCERS' CLUB. They Watch Clever Bouts, in One of Which

The members of the Fencers' Club opened their club house, at 37 West Twenty-second street, to the ladies yesterday afternoon and gave a series of friendly bouts to amuse their guests. Every available seat was occupied before the first pair crossed folls. John Langdon Irving and E. Tatham opened the programme. Although they were evenly matched and fenced well they failed to arouse enthusiasm. Then Lawrence Myers and L. M. Lawson of the New York Athletic Club tried their skill with duelling swords. They had an advantage over the weapons it is allowable to strike anywhere, thus making a more spectacular exhibition possible, but even the wonderful defence of the contestants elicited only the faintest handelanning. It was evident by this time to everybody but the fencers themselves, who were in deadly earnest that they were recely-

every body but the fencers themselves, who were in deadly earnest, that they were receiving about as much attention as the horses do at the annual Horse Show. Too much fencing of another kind was going on. The members who were not on the programme and their guests were fully amused in practising the art of attack and defence with their eyes and softly whispered words. Even when W. Scott O'Connor and Dr. Graeme Hammond of the New York Athletic Club gave a most spirited exhibition with folls the bouts with the eyes and tongues went on uninterruptedly.

About this time it was whispered around that two members of the ladies' class had consented to test their skill. Then and not until then did the audience wake up to the fact that something of interest was going on on the platform. A. van Zo Post and Lieut. Bettini of the Italian army had a set-to with sabres. Both are splendid swordsmen, and some of their rapid thrusts and parries were greeted with cries of "Good." from the ladies.

It was then announced that Miss Margaret Stimson and Miss Louise Jackson, representing the indies 'class, would have a contest with foils. Their appearance was the signal for an outburst of enthusiasm. Miss Stimson is of athletic figure and looked very well in fencing costume. She wore I an accordion plaited skirt of soft black woellen goods, reaching below the knee, and a double-breasted, tight-fitting, white duck coat. Black stockings and gauntiess and low shoes completed the costume. It was now the men's turn to cry "Good!" and "Hrave!" and they did so lustily, for the young ladies attacked each other with great rapidity and defended themselves most adroitly. At first it was thought that Miss Jackson had the advantage, but when the call of "Change sides" was heard and obeyed, it was evident that Miss Stimson was quite able to hold her own.

The next bout was between W. Scott O'Connor and E. Tatham, with Japanese sticks. They banged and beat and flailed each other to their heart's content, and to the delight of everybody present. Dr.

DEATH OF A QUEER CHARACTER Jephtha Wagoner's \$1,000,000 Suit-Ris Plan for a Subsidized Hotel,

They gave the grand salute. Refreshments were served after the bouts.

PLAINFIELD, N. J., Nov. 16 .- Jephtha Wagoner, one of the most eccentric characters in this part of New Jersey, died on Sunday from the result of injuries sustained several weeks ago in a fall from the roof of a barn at his home in Warren township. He was 70 years of age. and was ence wealthy, but owing to his erratic and visionary ideas he became bankrupt, and and visionary ideas he became bankrupt, and for many years has lived on the charity of his relatives and neighbors. Three years ago he had some trouble with a conductor of the Delaware, Lackawanna and Western Railread, and was put off the train. He commenced a suit against the railroad company for \$1,000,000. He received plenty of notoriety but no money. A few years ago he proposed to build an immense hotel on Washington Bock, three miles from this city, to be subsidized by the Government on the ground that the bedrooms were to be named after American statesmen. In connection with this hs proposed to build an electric plant which would have lamps strong enough to light this city from the rock.

CLEARING OFF OLD EXCISE CASES. Fines, Mostly Light, on Pleas of Guilty-Five Acquittals.

Excise cases took up most of the calendars in the four parts of General Sessions yesterday. On the calendar of Part I, there were 54 cases, in Part II. 49, in Part III. 48, and in Part IV 47. The indictments were all found under the old law. Twenty-one saloon keepers pleaded guilty before Judge Newburger in Part I., and they got off with fines of \$10. Ten pleaded guilty in Part II. before Judge McMahon and paid fines of \$10 cach.

Judge Fitzgerald imposed two \$30 fines and one \$50 fine in Part IV. Three saloon keepers stood trial in this part and were acquitted. Judge Cowing imposed four \$10 fines in Part III. and two saloon keepers who elected to be tried were found not suits. tried were found not guilty.

Many of the men who pleaded guilty were indicted two years ago. Hesides the cases now on the calendar there are about 200 more violations of the old Excise law yet to be disposed of.

The Grand Jury and the Valentine Gang. The Grand Jury spent most of yesterday looking into the great forgery schemes said to have been planned and carried out in this city by the man McLaughlin, who is now under arrest in man McLaughlin, who is now under arrest in Hoboken; William E. Valentine, who is a prisoner in Brooklyn, and others. Assistant District Attorney Battle presented the evidence to the Grand Jury, and it was rumored that a number of indictments would be handed down to-day or to-morrow. McLaughlin and the Hampton girl will be brought to this city from Hoboken to-day, and the latter may go before the Grand Jury.

Receiver for the Brooklyn Yeast Company. George Brush was appointed receiver of the Brooklyn Yeast Company yesterday, in a suit for a voluntary dissolution. President Miles of the company alleges that the suit was brought

Break up your Cold Over night.

Don't use sprays, douches, atomizers or stomach medicines. Booth's

" Hyomei "

Pocket Inhaler Outfit, the Australian 'Dry-Air" treatment, will do it. It cures by inhalation. Air is the only thing intended for the breathing organs.

Office of the Mayor of the City of Trenton, N. J.

March 2, 2896.

Dear Sir: You have my permission to say that I believe Hyomet to be one of the most wonderful cures for catarrh and throat trouble that has ever been discovered. In my case the effect has been marvellous.

EMORY N. YARD, Mayor. Price \$1.00. For sale by druggists every where. Extra bottles of "Hyomei" inhal-ant at druggists, 50 cents. Hyomel Balm, a wonderful healer, 25 cents. Advice free of

HE SAID "NO" TO 47 GIRLS.

MAYOR STRONG WOULDN'T MED-DLE IN A TEACHER'S TRANSFER.

The Graduating Class of Grammar School

47 Descends on Him and Tries to Get Him to Restore Principal Felicia Griffia to the School - Tears Shed in Vals. Forty-seven school girls, ranging in age from 12 to 15 years, invaded the City Hall yesterday afternoon and took possession of the Governor's Room. They were the members of the college or graduating class of Grammar School 47, at 36 East Twelfth street, and they came to protest to the Mayor against the transfer of their principal, Miss Felicia Griffin, who was reto teach in an up-town school. This is Miss Grif-fin's last week at the Twelfth street school, and the scholars of the graduating class, by whom she seems to be highly regarded, decided to ask Mayor Strong to interfere before the transfer was actually completed. The girls were determined and outspoken, and it seemed to be their idea that the thing to do was to storm the Mayor in a body. But after they had storm the Mayor in a body. But after they had talked the matter over a while they concluded that the proper thing would be to send ambassadors to ask the Mayor to meet them in the Governor's Room. So a committee of two, consisting of Adelaide Fitzgerald and Theresa Poggi, was appointed to wait on his Honor, present the petition, and inform him that his presence was desired in the Governor's Room.

The two girls marched down the winding from stairs to the sanctum of the Mayor. Adelaide Fitzgerald, who was a little shaky and nervous, carried the petition, which was written in a copy-book hand. Theresa Poggi was more composed.

composed.
"Please, sir," she said to Policeman Kennel, the guardian of the door, "we want to see the Mayor." But, my dear children, he's busy and can't see you, said the policeman. Thereupon Miss Fitzgerald began to cry, and Kennel looked very uncomfortable. "What do you want to see the Mayor for?" he

asked.
"We want to give him this petition," said
Theresa and then both sirls began to tell Ken-Thereas, and then both sirls began to tell Kennel all about their troubles.

"Well, I'll see what I can do for you," he said, and leading the girls to a point where they could get a view of his Honor, he left them and went to the Mayor with their errand.

Mayor Strong said he'd see them and the girls approached.

"Your Honor," began Adelaide in a frightened where."

"Your Honor," began Adelaide in a frightened voice, "we want you to let Miss Griffin stay—she's just as nice as she can be, and all the girls are up stairs waiting for you—and we thought we'd came down and ask you to let Miss Griffin stay, and we spent \$2.50 coming—"
"My dear children," said his Honor, breaking in, "I can't help you. The proper person for you to see is Mr. Maclay, the President of the Board of Education. I have no influence that would have you and I have no influence that Board of Education. I have no influence that would help you and I have no jurisdiction over

would help you and I have no jurisdiction over the schools."
Then Miss Fitzgerald dissolved into tears again. "I think (sob) you might (sob) read our petition (sob, sob) and come up stairs (sob) after (sob, sob, sob) and come up stairs (sob) after (sob, sob, sob).

But the Mayor would neither take the petition nor go up to the Governor's Room, where the other forty-five rirls were waiting for him.

"The mean old thing," said Theresa as the two girls passed out of the office.

When they got back, to the Governor's Room their companions flocked about them and all began to ask questions at once. Miss Fitzgerald's eyes were red with weeping.
"I think the Mayor is just as mean," she said to a Sun reporter. "He just wouldn't have anything to do with us, and then I was so polite and nice to him, and called him your Honor, and spoke low, as I was told to, and I just think it's a shame."
"The horrid old granny." cried one of the The horrid old granny!" cried one of the

"The horrid old granny!" cried one of the listeners.

"I think if he'd change from tea to coffee for a while it would improve his temper," said Miss Fitzgerald in conclusion, and then the girstrooped out of the building. They said they would go straight to Mr. Maclay's house and ask him not to transfer Miss Griffin.

Afterward Mayor Strong said that he was sorry for the girls, but that he wouldn't interfere with the Board of Education.

"I did interest myself in a matter of this kind recently," he added, "but the case was an exceptional one."

FOR SELLING SPURIOUS LIQUORS. Number of New York Merchants.

The General Sessions Grand Jury gave a hearing yesterday to three members of the Wine and Spirit Traders' Association of the United States. The association, on behalf of the reputable merchants in this city who import wines and liquors, asks that the law be enforced against the concerns in this city which are selling liquors under imitated trade marks and false names. The principal mover against these concerns is Charles Reynauld of the importing firm of Reynauld & Niederstadt, 15 State street, Vice-President of the Wine and Spirit Traders' Association. Agents of the asso-ciation have been collecting evidence for months against houses which they say sell ilquors that are not of the quality or made by the persons indicated by the name and trade mark on the bottle. Bottles of the liquors have been purchased by the association's agents, and some of them were taken before the Grand Jury restorder.

some of them were taken yesterday.

Several affidavits setting forth that the law had been violated were presented to the Grand Jury by Mr. Reynauld. His testimony was corroborated by G. S. Nichlas of 43 Beaver street and W. A. Taylor of W. A. Taylor & Co. of 39

Broadway, both large importers. No indictments were found. The investigation has not ended.

While Mr. Reynauld and his two colleagues were appearing before the Grand Jury the Wine and Spirit Traders' Association were holding their regular meeting at Delimonico's. The meeting adjourned to await the return of the importers who were before the Grand Jury. Messrs, Reynauld, Nichlas, and Taylor later in the day reported to the association what they had accomplished thus far.

"Heretofore we have been waging war in the United States Court," said Importer Reynauld vesterday, "but now we intend to see if we can't punish the men who violate the State law when they sell liquors that are not what they are sold for. We are not fighting to preserve the trade mark or the bottle of the foreign manufacturers. We simply want the law enforced. When the public buys liquor that the bottle says is made in Italy, but which is really made in Vesey street, it is duped. The public has no Idea of the scale on which this swindle is worked."

DUCKS CAUGHT IN NETS.

Long Island Sportsmen Aroused Against the Practice, Which Is Unlawful.

GOOD GROUND, L. I., Nov. 16. -Sportsmen in this vicinity would like to find the men who are catching ducks in nets in violation of the State law and the unwritten law of sportsmen. For some time it has been noticed that ducks came to Shinnecock bay at night, but disappeared beore morning.

A party of belated sportsmen returning to land A party of belated sportsmen returning to land last evening saw two men in a boat acting in a suspicious fashion, and investigation showed that they were netting ducks. This is accomplished by sinking a net almost to the bottom of the bay. Ducks in diving for food become entangled in the net and are drowned. Complaint has been made to the State authorities and an inspector will be sent to the district. Several men are suspected and will be watched.

A Medal to Commemorate the Opening of

At the meeting of the American Numismatic and Archeological Society at 17 West Fortythird street last night, President Andrew Zabriskie said that as a trustee of St. Luke's Hospital he would stand the expense of striking off a gold medal commemorative of Dr. William off a gold medal commemorative of Dr. William A. Muhlenberg, founder of the hospital, to be presented to that institution at the formal opening of the hospital next January. He asked the approval of the society for the project, and it was decided that the society would make an official presentation of the medal.

President Zabriskie suggested that the society should strike a broaze medal commemorative of the dedication of Grant's monument on April 27 next, and the choir was empowered to appoint a committee to take the proper steps for that purpose.

Bazner at the Foundling Hospital. Great preparations are being made at the Foundling Hospital, Third avenue and Sixtyeighth street, for an entertainment and bazaar which will be held there for two days, beginning next Friday. The proceeds are to be used for the benefit of the Seton Hospital at Spuyten Duywii, the erection of which was the last of the many charitable works performed by the late Sister Irene, to whom thousands of the day shall some an much late Sister Irene, to whom thousands of the city siwaits owe so much.

The bazzar will be opened at 2 o'clock, and in the evening the sketch, "Ruth's Romance," will be performed. An opportunity will be afforded those who attend to go through the Foundling Hospital.

Everett M. Marshall Accused of Forgery. Boston, Nov. 16 .- On a warrant issued by the Cambridge District Court Everett M. Marshall, 40 years old, living at 48 Cottage street, Melrose, and with an office at 61 Court street, this city, was arrested to-day charged with the forgery of the name of William II. Stimpson of W. H. Stimpson & Co., 61 North Market street, to a guardianship bond of \$10,000 on July 31, 1894. Mr. Marshall is out on ball. He degice all the charges. R. T. Booth, 23 East 20th St., New York.



Such values as are to be found in the Suits and the Overcoats that we make to order for

NO MORE \$15.00 NO LESS

are unequalled. The profits, small though they are, are often repeated -2,500 suits each week-and we are building a foundation, firm and indestructible.

## W. C. LOFTUS & CO.,

Wholesale Woollen House, Tailor-Shops and Mail Order Dept., 568 to 578 Broadway, cor. Prince st. SELF-MEASUREMENTS AND SAMPLES SENT.

SUN BUILDING, NEAR BRIDGE (open swentings),
49 REAVER ST., 71 BIDGAISWAY (Arcide building),
25 WHITEHALL ST.
EQUITABLE BUILDING, 120 BWAY (7th Score),
POSTAL BUILDING, 120 BWAY (7th Score),
70 BROADWAY, BET, PRINCE AND BUILDINGS,
1101 BROADWAY, NEAR STILST, (Open evenings.)
125TH ST. AND LEXINGTON AV. (open evenings.)

Newark-Broad st., near Market (open evenings). Albany-22 South Pearl at. (open evenings). Troy-284 River at.

Dr. Harsha Got It from a Frenchman Who The Rev. William Justin Harsha, D. D., pastor of the Second Collegiate Reformed Church in Harlem, preached a sermon on "Moody" on Sunday night. In the course of his sermon he said:

"Certain of our daily papers are troubled because Mr. Moody believes in the story of Jonah. Yet I may call your attention to the investigations of M. Courbet, the eminent French scientist, and of the Prince of Monaco. They have shown that the sperm whale is able to swallow cephalopods much larger and much heavier than a man. It is also upon record that in February, 1891, a certain James Bartley was awailowed by a whale, and, after a day and a night. his companions in the ship Star of the East cut him out and found him unconscious, but alive. He is living to-day."

A SUN reporter asked Dr. Harsha yesterday for his authority for the story of James Bartley. Dr. Harsha said he found it in the "Literary Digest" in a translation of an article of M. Courbet's in the Parls "Cosmos" of March 7.

M. Courbet says he found the story in an English newspaper. This is the translation:
"In 1801 the whaler Star of the East pursued a superb whale observed at some distance from the ship. The huge creature was harpooned and wounded to death. While it was writhing in its last agenies one of the whaleboats was struck by its tail and shattered to pieces. The sailors who were in it were thrown out into the water. All but two were saved by the boats. The body of the one was recovered but the other, a man named James Bartley, could not be found.

"When the monster had ceased to move and its death was quite certain, it was holsted along-Digest" in a translation of an article of M.

. When the monster had ceased to move and its death was quite certain, it was hoisted along-side the ship and the work of cutting it up began. A day and a night were devoted to this task. When the stomach was opened what was the surprise of the windemen to find their lost comrade. He was unconscious but alive. They had much trouble in reviving him. For several days he was delirlous, and it was not until three weeks had elapsed that he was able to narrate his impressions. He said he remembered very well when the whale threw him into the air. Then he said he was swallowed and found himself enclosed in a firm, slippery channel whose contractions forced him continually downward. By feeling about he realized that he had been awalewed by the whale and was in its stomach. He had much difficulty in breathing and had a feeling of insufferable heat. It was not long before he lost consciousness."

The article went on to say that Bartlett had to be treated in a hospital and that his sain was found to have been permanently tanued.

a veyage of the Prince of Monaco on which he captured a sperm whale with a cephalopod in its stomach over 334 feet long and weighing over 250 pounds.

M. Courbet has escaped the biographical dictionaries thus far.

SENT BACK FROM GERMANY.

A Jersey Teacher and Her Mother Go to the Trenton Almshouse. TRENTON, N. J., Nov. 16 .- About a year ago Miss Louisn Enders, a teacher in the public schools here, became ill and unfitted for teaching. She was the sole support of her widowed mother, and conceived the idea that she would like to go to Germany, where she had friends, The teachers of the city made up a purse to pay The leachers of the city made up a purse to may the passage of the two women, who sailed in October, 1895. The Enders failed to find their friends, and the younger woman obtained work in a factory, but could not earn enough to support the two. They became charges on the local government, and the German authorities shipped them back to this country. They reached Trenton on Saturday, and, having no home, went to the city almshouse. The young woman is a graduate of the State Normal School and taught in Trenton for seven years, lier friends say that her mind is affected.

SENATOR VOORHEES RECOVERING. It Is Expected in Washington That He Will Soon Go to the Capital.

WASHINGTON, Nov. 16. Senator Voorbees's son, a well-known lawyer in this city, pronounces the report from Terre Haute that his father is suffering from parcels to be a cruel falsehood. Mr. Voorhees, who left his father only four weeks ago to day, received a letter from his physician saying that he is fast recov-ering health. The Senator is expected in Wash-

"Lord Crewe" Indicted Again for Theft.

William Sinclair, who has at various times called himself "Lord Crowe," was indicted by the Grand Jury yesterday on complaint of Miss Edith Sewell of 221 East Sixty-ninth street, for grand larceny. Miss sewell has a study in Cargrand larceny. Miss Sawell has a study in Carnegte Music Hall. Some months ago, she says,
she gave Sinclair a piece of tapearry valued at
\$15 to sell. He was to get \$5 if he sold it. He did
sell it, Miss Sawell says, but he failed to turn in
the money. She lost all track of him until she
recently saw in the newspapers that he had been
held for larceny in the Yorkville Court on the
complaint of a man who described himself as
Baron Carl E. Von Jungen feld. Sinclair was tried
for grand larceny in 1894, and the jury disagreed.

Phobe Wilson Set at Liberty.

FLUSHING, L. I., Nov. 16. The Grand Jury falled to indict Mrs. Phorbe Wilson of this place who was arrested in August charged with causing the death of her aged husband, and she was released to-day. She immediately set about collecting her household effects, which have been in a storage waverouse. Mrs Wilson talked in a rambing fashion and seemed be-wildered. Not long after she was arrested a commission was appointed to inquire into her sanity, but they reported that she was of sound mind.

Minister McKenzie Rullying at His Home. LOUISVILLE, Nov. 10. James A. McKenzie, Minister to Peru, has arrived at his home, Oak Grove, in Christian county. He left Lima on Oct. 27, and came by way of New York. He is thin from an attack of fever, followed by small-pex, which kept him in hed fifty days. He is here on leave of absence, and will remain until January.

COMPERCIEN AIT'S Reliable Indescribably artistic Carpets, Lowest pri